

Message Text

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SUBJECT: NARCOTICS LAWS

REF: (A) STATE 170187; (B) STATE 203321

1. GOVERNMENT OF CYPRUS LEGISLATION (NARCOTICS LAW OF 1967) PROHIBITS THE POSSESSION, TRAFFICKING AND CULTIVATION OF ANY KIND OR QUANTITY OF NARCOTIC SUBSTANCES. VIOLATION OF ANY PROVISIO OF THE LAW IS UNIFORMLY SUBJECT TO PENALTY NOT EXCEEDING ONE THOUSAND CYPRUS POUNDS (APPROXIMATELY \$2760.00) FINE OR TEN YEARS IMPRISONMENT OR BOTH, SUBJECT TO THE DISCRETION OF THE COURT. THERE IS NO MANDATORY SENTENCE. AND THERE ARE NO BAIL OR PAROLE PROVISIONS.

2. POSSESSION: (A) THERE IS NO DIFFERENTIATION IN THE LAW FOR POSSESSION OF VARIOUS TYPES OF NARCOTICS AND (B) ANY AMOUNT QUALIFIES FOR A POSSESSION OFFENCE.

3. TRAFFICKING: (A) LAW DOES NOT PROVIDE FOR A SEPARATE OFFENSE FOR A PARTICULAR SUBSTANCE; (B) ANY AMOUNT QUALIFIES FOR TRAFFICKING OFFENSE; AND, (C) THERE IS A CRIMINAL OFFENSE RELATING TO CONSPIRACY TO TRAFFIC UNDER CYPRUS' GENERAL CRIMINAL LAW, IF ELEMENTS OF CONSPIRACY ARE PRESENT.

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4. CULTIVATION, PRODUCTION, AND ELABORATION: CULTIVATION, PRODUCTION, OR ELABORATION OF ANY TYPE OF NARCOTIC SUBSTANCES OR SUPPORT THEREOF IS PROHIBITED UNDER THE LAW.

5. FINANCIAL: (A) FINANCIAL SUPPORT FOR CULTIVATION, ELABORATION, OR TRAFFICKING OF NARCOTICS IS PROHIBITED UNDER THE GENERAL CRIMINAL LAWS GOVERNING AIDING AND ABETTING. (B)

CYPRUS EXCHANGE CONTROL LAW PROVIDES THAT NO MORE THAN TWO HUNDRED AND FIFTY CYPRUS POUNDS (APPROXIMATELY \$690.00) MAY BE TAKEN OUT OF THE COUNTRY BY RESIDENTS OF CYPRUS IN A ONE YEAR PERIOD. NON-RESIDENTS MAY TAKE OUT ONLY TEN CYPRUS POUNDS (APPROXIMATELY \$27.60) IN CASH AND THE UNSPENT BALANCE OF ANY FOREIGN CURRENCY DECLARED ON ARRIVAL. CENTRAL BANK OF CYPRUS APPROVES OPENING OF FOREIGN CURRENCY ACCOUNTS BY AUTHORIZED DEALERS IN THE NAME OF RESIDENTS AND NON-RESIDENTS. AUTHORIZED DEALERS ARE DEFINED AS PERSONS BEING AUTHORIZED BY AN ORDER OF THE CENTRAL BANK OF CYPRUS TO ACT UNDER THE EXCHANGE CONTROL LAW AS DEALERS IN GOLD AND FOREIGN CURRENCY. ALL SUCH ACTIVITIES ARE CAREFULLY SCRUTINIZED BY CENTRAL BANK.

6. CRIMINAL PROCEDURE: (A) DEPENDING UPON THE SERIOUSNESS OF THE CASE, THE GENERAL CRIMINAL LAW PROVIDES FOR DETENTION UP TO THREE MONTHS. IN PRACTICE, PERIOD OF DETENTION TO FACILITATE INVESTIGATION IS 15-20 DAYS MAXIMUM. CONSULAR ACCESS IS PERMITTED AND EMBASSY IS NOTIFIED OF ARREST AS SOON AS POSSIBLE. (B) CUSTOMARY LENGTH OF PRE-TRIAL DETENTION IS 15-20 DAYS. UPON COMPLETION OF INVESTIGATION, COURT DECIDES WHETHER BAIL WILL BE GRANTED. COURT MAY ORDER THAT ACCUSED REMAIN IN CUSTODY UNTIL COMMENCEMENT OF JUDICIAL PROCEEDINGS. (C) AVERAGE LENGTH OF TRIAL PROCESS IS AS FOLLOWS: IN GENERAL, FIRST STAGE OF TRIAL LASTS APPROXIMATELY ONE WEEK. SECOND STAGE IS APPELLATE PROCESS WHICH MAY TAKE TWO WEEKS. (D) LEGAL AID IS AVAILABLE IF ACCUSED HAS INSUFFICIENT FUNDS. THIS IS DETERMINED AFTER
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SOCIAL/WELFARE INVESTIGATION. THERE IS AN ADEQUATE NUMBER OF ATTORNEYS CAPABLE OF HANDLING NARCOTICS CASES. FEES GENERALLY RANGE FROM FIFTY CYPRUS POUNDS (APPROXIMATELY \$138.00) TO ONE THOUSAND CYPRUS POUNDS (APPROXIMATELY \$2760.00). (E) IT IS CUSTOMARY TO EXPEL FOREIGNERS WHO ARE MINOR OFFENDERS. WHEN CONVICTED, THEY ARE FORMALLY DECLARED PROHIBITED IMMIGRANTS.

7. TWO COPIES OF CYPRUS NARCOTICS LAW OF 1967 ARE BEING FURNISHED TO DEPARTMENT.

8. COMPREHENSIVE NARCOTICS LAWS REPORT FOR TURKISH-ADMINISTERED SECTOR OF CYPRUS IS IN PREPARATION AND WILL BE TRANSMITTED SEPTEMBER.
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